

Application Serial No. 10/073184
Amendment dated April 25, 2005
Responsive to April 13, 2005 Office Action

Remarks

Applicants thank the Examiner for the courtesies shown Applicants' representative during the April 22, 2005 personal interview.

Upon entry of the Amendment, the Amendment amends claims 20 and 32. Claims 20-38 are pending in the Application.

THE 35 U.S.C. §103 CLAIM REJECTIONS

The Office Action rejects claims 20-38, under 35 U.S.C. §103(a), as being unpatentable over FR 2769850 or US 4649677 in view of DT 2617364. Upon entry of the Amendment, the Amendment amends claims 20 and 32, from which claims 21-31 and 33-38 depend. FR 2769850, US 4649677 and DT 2617364 do not render obvious amended claims 20 and 32 or claims 21-31 and 33-38 dependant therefrom.

The invention of amended claim 20 is, in pertinent part, a vent for septic system comprising a leg configured to mount on, conceal a portion of and convey gas from a conduit extending from the septic system. The invention of amended claim 32 is, in pertinent part, a method of concealing a conduit extending and conveying gas from a septic system comprising sizing the conduit then mounting a leg on the conduit. In claims 20 and 32, the leg is configured for mounting one of a plurality of fixtures thereon. The specification describes a fixture 300 at paragraph 33 and depicts same in Figs. 2-6.

In contrast to the inventions of amended claims 20 and 32, DT 2617364 shows a vent having an integral mushroom exterior mounted on an outlet.

A difference between the disclosure of DT 2617364 and the inventions of amended claims 20 and 32 is that the DT 2617364 mushroom is not configured for receiving interchangeable fixtures thereon.

A significance of this difference is that the DT 2617364 mushroom cannot accommodate interchangeable ornamental objects, like bird baths, gazing balls, etc. Thus, when a homeowner desires to change the appearance of the vent, the

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homeowner would have to replace the entire structure. The claimed invention, on the other hand, promotes greater economic flexibility by allowing the homeowner to, for example, replace the summer-time bird bath fixture with a winter-time sun dial fixture without having to purchase or install an entire venting structure.

FR 2769850, US 4649677 and DT 2617364 contain no motivation to modify the respective disclosures to achieve, have little likelihood of achieving, and do not teach or suggest all the claim limitations of the invention of amended claims 20 and 32, therefore amended claims 20 and 32 and claims 21-31 and 33-38 dependent therefrom are allowable over FR 2769850, US 4649677 and DT 2617364.

This Amendment is responsive to the outstanding Office Action. The Amendment does not add new matter. The Amendment does not raise new issues that require further consideration and/or searching and is a *bona fide* effort to conclude prosecution of this Application. Applicants respectfully request entry and favorable consideration of the Amendment.

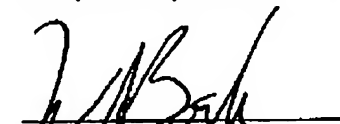
Entry of the Amendment is proper under 37 C.F.R. §1.116 because the Amendment: (a) places the Application in condition for allowance; (b) does not raise any new issue requiring further search and/or consideration; (c) satisfies a requirement of form asserted in the previous Office Action; (d) does not present any additional claims without cancelling a corresponding number of finally rejected claims; and/or (e) places the Application in better form for appeal, should an appeal be necessary.

Applicants respectfully submit that this Application is in condition for allowance. If such is not the case, Applicants invite the Examiner to contact the undersigned to resolve remaining issues.

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Amendment dated April 26, 2005
Responsive to April 13, 2005 Office Action

This paper was filed within the shortened statutorily-prescribed time limit, thus no fees are owing. If filing this paper or any accompanying papers necessitates additional fees not otherwise provided for, the undersigned authorizes the Commissioner to deduct such additional fees from Deposit Account No. 19-2110.

Respectfully Submitted,


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